

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

KINNEY LISOVICZ REILLY & WOLFF PC

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Attorneys for Defendant, AmTrust North America, Inc., and
Associated Industries Insurance Company, Inc.

ALLI RESTAURANT & BAR CORP.,

Plaintiff,

v.

AMTRUST NORTH AMERICA, INC.,
AND ASSOCIATED INDUSTRIES
INSURANCE COMPANY, INC.,

Defendants.

-and-

JOSE SORTO AND MARIA SORTO, AS
INTERESTED PARTIES

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: UNION COUNTY
DOCKET NO.: UNN-L-001560-25

NOTICE OF REMOVAL

TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ON NOTICE TO: Mandelbaum Barret PC
3 Becker Farm Road, Suite 105
Roseland, NJ 07068
(Attorneys for Plaintiffs)

SIR/MADAM:

PLEASE TAKE NOTICE that defendants, AmTrust North America, Inc., and Associated Industries Insurance Company, Inc., each of which is located at 59 Maiden Lane, New York, New York 10007, hereby remove the above-titled action from the Superior Court of New Jersey, Law

Division, Union County to the United States District Court for the District of New Jersey pursuant to 28 U.S.C. §§ 1332, 1441 and 1446.

In support of this Notice of Removal, defendants state:

1. On April 17, 2025, plaintiff filed a Complaint in the Superior Court of New Jersey, Law Division, Union County, New Jersey. The Complaint alleges that defendants, AmTrust North America, Inc., (“AmTrust”) and Associated Industries Insurance Company, Inc., (“AIIC”) breached an insurance policy issued to plaintiff and that each is responsible to defend and indemnify plaintiff for claims made against it in an underlying action captioned Jose Sorto, et al v. Alli Restaurant & Bar Corp., et al, Superior Court of New Jersey, Law Division, Union County, Docket No. UNN-L-001560-25 (hereafter the “Sorto Action”). A copy of the Complaint in this action is annexed hereto as Exhibit A.

2. The claims in the Sorto Action for which plaintiff seeks coverage in this action are that Jose and Maria Sorto suffered injuries as the result of an assault and battery allegedly committed against Jose Sorto and, on information and belief, the amount of defense costs and indemnity for which plaintiff seeks coverage in this action exceed \$75,000.

3. AmTrust North America, Inc., is a Delaware corporation with its principal place of business at 59 Maiden Lane, New York, NY 10007.

4. Associated Industries Insurance Company, Inc., is a Florida corporation with its principal place of business at 59 Maiden Lane, New York, NY 10007.

5. Paragraph 2 of the Complaint in this action states that plaintiff is a New Jersey corporation with its principal place of business in Elizabeth, New Jersey. The Complaint in the Sorto Action, which is annexed as an exhibit to the Complaint in the action, states that Jose Sorto and Maria Sorto are residents of Elizabeth, New Jersey.

6. The United States District Court for the District of New Jersey has original jurisdiction over this matter pursuant to 28 U.S.C. §1332 because it arises among citizens of different states and the amount in controversy is in excess of \$75,000, exclusive of interest and costs.

7. AmTrust and AIIC first received a copy of the Complaint in this action on April 23, 2025, when it was served on them and neither had notice of the Complaint prior to that time.

8. As of the date of this Notice of Removal, AmTrust and AIIC have not filed responsive pleadings in the action commenced by plaintiff in the Superior Court of New Jersey, Law Division, Union County, and no other proceedings have transpired in that action.

WHEREFORE, defendants, AmTrust North America, Inc., and Associated Industries Insurance Company, Inc., pray that the above-captioned matter, now pending in the Superior Court of New Jersey, Law Division, Union County, be removed therefrom to the United States District Court for the District of New Jersey.

Respectfully,

KINNEY LISOVICZ REILLY & WOLFF PC
Attorneys for Defendants, AmTrust North America,
Inc., and Associated Industries Insurance Company,
Inc.

By: */s/ Kevin E. Wolff, Esq.*
Kevin E. Wolff

Dated: May 13, 2025

LOCAL RULE 11.2 CERTIFICATION

PURSUANT to Local Civil Rule 11.2, the undersigned hereby certifies that except as set forth above, the matter in controversy is not the subject of any other action pending in any court or of a pending arbitration or administrative proceeding and no other action, arbitration or administrative proceeding is contemplated.

KINNEY LISOVICZ REILLY & WOLFF PC
Attorneys for Defendants, AmTrust North America,
Inc., and Associated Industries Insurance Company,
Inc.

By: */s/ Kevin E. Wolff, Esq.*

Kevin E. Wolff

Dated: May 13, 2025